

IN THE CLAIMS:

Please cancel claims 1 through 15 without prejudice.

Please amend the claims as follows:

1-15. (Canceled)

16. (Currently amended) A method for forming an overlay target including a series of raised lines, the method comprising:

providing a substrate having an upper surface;

depositing a resist layer over the substrate;

patterning the resist layer to include a resist pattern defining said the overlay target including a series of raised lines;

etching the substrate to form the overlay target including said the resist pattern with the series of raised lines; and

depositing a second layer of material having an upper surface thereof substantially over a portion of the upper surface of the substrate allowing the operation of a registration tool regarding the series of raised lines of the overlay target and not substantially conforming to a topography of the overlay target, said the upper surface being substantially free, as deposited, of depressions in the portion thereof covering said the overlay target in the substrate, the lower surface of the second layer of material being contiguous with at least a portion of the overlay target.

17. (Currently amended) The method of claim 16, wherein said the providing a substrate comprises providing a semiconductor substrate selected from a group consisting of silicon, gallium, and sapphire substrates.

18. (Currently amended) The method of claim 17, wherein said the depositing a resist layer over said the substrate comprises depositing a resist layer directly over said the

semiconductor substrate selected from the group consisting of silicon, gallium, and sapphire substrates.

19. (Currently amended) The method of claim 16, wherein saidthe providing a substrate includes providing a semiconductor substrate having a top surface, a bottom surface, and a material layer deposited over saidthe top surface.

20. (Currently amended) The method of claim 19, wherein saidthe depositing a resist layer over said substrate comprises depositing a resist layer over saidthe material layer and saidthe etching saidthe substrate to form saidthe overlay target including a series of raised lines comprises etching saidthe material layer.

21. (Currently amended) The method of claim 16, wherein saidthe etching comprises wet etching saidthe substrate to form saidthe overlay target including saidthe resist pattern with saidthe series of raised lines.

**IN THE DRAWINGS:**

The attached sheet of drawings include changes to FIGS. 12 and 13. These sheets, which include FIGS. 12, 13 and 14, replace the previous drawing sheets, including FIGS. 12, 13 and 14.